

AMENDED IN ASSEMBLY MAY 3, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1273**

**Introduced by Assembly Member Frusetta**

February 26, 1999

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*An act to add Sections 49041 and 92021 to, to add Chapter 13 (commencing with Section 67101) to Part 40 of, and to add Article 10 (commencing with Section 76160) to Chapter 1 of Part 47 of, the Education Code, to amend Sections 2105 and 2161 of, and to add Sections 2105.1, 2161.1, and 3504 to, the Elections Code, to amend Section 355 of, and to add Section 358.1 to, the Family Code, and to add Section 18621.1 to the Revenue and Taxation Code, relating to voters, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1273, as amended, Frusetta. Voter programs: appropriation.

Under existing law, the Secretary of State is the chief elections officer and has prescribed powers and duties relating to voter registration and elections.

*Existing law states the intent of the Legislature that voter registration be maintained at the highest possible level and requires the Secretary of State to adopt regulations requiring each county to design and implement programs to identify qualified electors who are not registered voters, and attempt to register those persons to vote.*

*This bill instead would impose a state-mandated local program by requiring each county to design and implement an outreach plan, as specified.*

*This bill also would require school districts to provide voter registration cards to students reaching age 18. The bill would require the California State University and community college districts to include voter registration materials with the registration materials for each student, as specified. The bill would state an intent that the University of California provide voter registration materials to students at the time of enrollment.*

*This bill would require the Secretary of State to establish a Voter Participation Unit to promote and coordinate voter registration efforts with private businesses, community groups, and schools. The bill would authorize the Secretary of State to provide a voter registration form on the Internet and to enter into contracts to place voter registration forms in telephone directories given to new residents.*

*Existing law requires an application for a marriage license to include an acknowledgment of information regarding sexually transmitted diseases, among other things.*

*This bill would also require the application to contain a response of the applicant indicating whether he or she would like to receive a voter registration card and would impose a state-mandated local program by requiring county clerks to provide voter registration cards to applicants requesting them.*

*The bill would require the Franchise Tax Board to include 2 voter registration cards with the blank forms provided for filing personal income tax returns in even-numbered years prior to the March primary election.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.*

*This bill would provide that no reimbursement shall be made from the State Mandates Claims Fund for costs*

*mandated by the state pursuant to this act, but would recognize that local agencies and school districts may pursue any available remedies to seek reimbursement for these costs.*

*This bill would appropriate \$10,000,000 to the Secretary of State for expenditure and allocation to implement and enhance programs ~~that encourage citizens to register and vote at elections~~ provided in ~~this state~~ the bill. The bill would provide \$5,000,000 of the \$10,000,000 appropriation to the Secretary of State for television and radio advertisements encouraging electors to register and to vote.*

*Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: yes. Fiscal committee: yes. State-mandated local program: ~~no~~ yes.*

*The people of the State of California do enact as follows:*

1     SECTION 1. *The Legislature hereby finds and*  
2     *declares all of the following:*  
3     *(a) The health and vitality of a democracy depend on*  
4     *the “consent of the governed” and this consent is*  
5     *expressed in part through registering to vote and voting.*  
6     *(b) The historical decline of participation in elections*  
7     *is a serious public policy issue which, unless reversed,*  
8     *threatens to undermine this consent.*  
9     *(c) Both state and local government should make*  
10    *significant efforts to provide every eligible citizen a*  
11    *simple and convenient opportunity to register to vote.*  
12    *(d) Each generation has a responsibility to hand down*  
13    *to the next generation a knowledge and awareness of the*  
14    *importance of participating in the democratic process,*  
15    *and to encourage young people to appreciate and care for*  
16    *the delicate flame of democracy.*  
17    *(e) Current levels of participation in the democratic*  
18    *process by young persons signal that the understanding*  
19    *of the importance of participation is not being passed to*  
20    *the next generation.*  
21    *(f) The challenge is to restore confidence in the*  
22    *general population in the electoral process by motivating*  
23    *youth to take the extra step of voting once they are*  
24    *eligible to register at age 18.*

1 SEC. 2. Section 49041 is added to the Education Code,  
2 to read:

3 49041. School personnel shall provide a voter  
4 registration card to each high school student on their  
5 campus on or near the date the student reaches the age  
6 of 18 years.

7 SEC. 3. Chapter 13 (commencing with Section 67101)  
8 is added to Part 40 of the Education Code, to read:

9

10 CHAPTER 13. VOTER REGISTRATION

11

12 67101. (a) The California State University shall  
13 include voter registration forms in student registration  
14 materials.

15 (b) When registration for classes is conducted on-line  
16 or by telephone, the on-line or telephone application  
17 process shall include an option for the applicant to  
18 request voter registration materials. Requested voter  
19 registration materials shall be included with class  
20 registration materials sent to an applicant.

21 SEC. 4. Article 10 (commencing with Section 76160)  
22 is added to Chapter 1 of Part 47 of the Education Code,  
23 to read:

24

25 Article 10. Voter Registration

26

27 76160. (a) The governing board of each community  
28 college district shall include voter registration forms in  
29 student registration materials.

30 (b) When registration for classes is conducted on-line  
31 or by telephone, the on-line or telephone application  
32 process shall include an option for the applicant to  
33 request voter registration materials. Requested voter  
34 registration materials shall be included with class  
35 registration materials sent to an applicant.

36 SEC. 5. Section 92021 is added to the Education Code,  
37 to read:

38 92021. (a) It is the intent of the Legislature that the  
39 University of California include voter registration forms



1 in the enrollment materials provided to students each  
2 year.

3 (b) When the enrollment for classes is conducted  
4 on-line or by telephone, it is the intent of the Legislature  
5 that the on-line or telephone application process include  
6 an option for the applicant to request voter registration  
7 materials. Requested voter registration materials shall be  
8 included with class registration materials sent to an  
9 applicant.

10 SEC. 6. Section 2105 of the Elections Code is amended  
11 to read:

12 2105. It is the intent of the Legislature that voter  
13 registration be maintained at the highest possible level.  
14 The Secretary of State shall adopt regulations requiring  
15 each county to design and implement ~~programs~~ an  
16 outreach plan intended to identify qualified electors who  
17 are not registered voters, and to register those persons to  
18 vote. ~~The Secretary of State shall adopt regulations~~  
19 ~~prescribing minimum requirements for those programs.~~

20 This plan shall include, but not be limited to, the  
21 following elements:

22 (a) Identification of target populations.

23 (b) School-based programs.

24 (c) Formation of an advisory committee composed of  
25 interested citizens and community organizations.

26 (d) A program to distribute throughout the  
27 community forms to register persons to vote.

28 (e) Voter registration at naturalization ceremonies  
29 conducted in the county.

30 (f) A program to identify name changes from  
31 marriage licenses.

32 (g) A program to identify and attempt to register  
33 persons who move within the county.

34 (h) A program to advertise in the local media.

35 Each county shall submit its outreach plan to the  
36 Secretary of State no later than January 1 of each year.

37 If the Secretary of State finds that a county has not  
38 designed and implemented a ~~program~~ plan meeting the  
39 prescribed minimum requirements, the Secretary of

1 State shall design a ~~program~~ *plan* for the county and  
2 ~~report the violation to the Attorney General.~~

3 *SEC. 7. Section 2105.1 is added to the Elections Code,*  
4 *to read:*

5 *2105.1. The Secretary of State shall establish a Voter*  
6 *Participation Unit to promote and coordinate voter*  
7 *registration efforts in private businesses, with community*  
8 *groups, and with schools. These statewide programs shall*  
9 *build public-private partnerships that cross county lines*  
10 *and provide visible leadership on the issues of voter*  
11 *registration and voting.*

12 *SEC. 8. Section 2161 of the Elections Code is amended*  
13 *to read:*

14 *2161. (a) The Secretary of State shall print, or cause*  
15 *to be printed, the blank forms of the affidavits of*  
16 *registration and voter registration cards prescribed by*  
17 *this code. The Secretary of State shall bind and number,*  
18 *or cause to be bound and numbered, affidavits of*  
19 *registration and voter registration cards as required by*  
20 *this code. The Secretary of State shall supply the forms to*  
21 *the county elections official in quantities and at times as*  
22 *requested by the county elections official.*

23 *(b) The Secretary of State may provide a voter*  
24 *registration form on the Internet that may be printed out*  
25 *and completed by an elector in order to register to vote.*  
26 *The voter registration form shall not be completed and*  
27 *transmitted to the elections official electronically, but*  
28 *shall be delivered in person or by United States Postal*  
29 *Service mail delivery.*

30 *SEC. 9. Section 2161.1 is added to the Elections Code,*  
31 *to read:*

32 *2161.1. The Secretary of State may enter into*  
33 *contracts with the providers of telephone directories to*  
34 *place voter registration forms in each telephone*  
35 *directory that is delivered to a residence with*  
36 *newly-established telephone service.*

37 *SEC. 10. Section 3504 is added to the Elections Code,*  
38 *to read:*

39 *3504. The Secretary of State, in consultation with*  
40 *county elections officials, shall develop a program to*

1 *ensure that new citizens are provided with voter*  
2 *registration forms at every event at which persons are*  
3 *sworn in as naturalized citizens of the United States.*

4 *SEC. 11. Section 355 of the Family Code is amended*  
5 *to read:*

6 355. (a) The forms for the application for a marriage  
7 license and the marriage license shall be prescribed by  
8 the State Department of Health Services, and shall be  
9 adapted to set forth the facts required in this part.

10 (b) The form for the application for a marriage license  
11 shall include an affidavit on the back, which the  
12 applicants shall sign, affirming that they have received  
13 the brochure provided for in Section 358.

14 (c) The affidavit required by subdivision (b) shall  
15 state:

16  
17 AFFIDAVIT

18  
19 I acknowledge that I have received the brochure  
20 titled \_\_\_\_\_

21  
22 \_\_\_\_\_  
23 Signature of Bride

\_\_\_\_\_ Date

24  
25 \_\_\_\_\_  
26 Signature of Groom

\_\_\_\_\_ Date

27  
28 (d) *The form for the application for a marriage license*  
29 *shall include “yes” and “no” boxes for each of the*  
30 *applicants to indicate whether they would like to receive*  
31 *a voter registration card pursuant to Section 358.1 and*  
32 *spaces following the “yes” and “no” boxes for the*  
33 *signature of each applicant.*

34 *SEC. 12. Section 358.1 is added to the Family Code, to*  
35 *read:*

36 358.1. *The county clerk shall provide a voter*  
37 *registration card to each applicant for a marriage license*  
38 *who requests one on his or her application for a marriage*  
39 *license.*



1 SEC. 13. Section 18621.1 is added to the Revenue and  
2 Taxation Code, to read:

3 18621.1. The Franchise Tax Board shall include two  
4 voter registration cards with each blank form provided  
5 for the filing of personal income tax returns every  
6 even-numbered year prior to the March primary  
7 election.

8 SEC. 14. No reimbursement shall be made from the  
9 State Mandates Claims Fund pursuant to Part 7  
10 (commencing with Section 17500) of Division 4 of Title  
11 2 of the Government Code for costs mandated by the  
12 state pursuant to this act. It is recognized, however, that  
13 a local agency or school district may pursue any remedies  
14 to obtain reimbursement available to it under Part 7  
15 (commencing with Section 17500) and any other  
16 provisions of law.

17 SEC. 15. The sum of ten million dollars (\$10,000,000)  
18 is hereby appropriated from the General Fund to the  
19 Secretary of State for expenditure ~~to implement or~~  
20 ~~enhance programs that encourage citizens to register and~~  
21 ~~vote at elections in this state.~~ and allocation as follows:

22 (a) The sum of one hundred twenty-five thousand  
23 dollars (\$125,000) shall be allocated to school districts for  
24 the implementation of the duties specified in Section  
25 49041 of the Education Code.

26 (b) The sum of one hundred thousand dollars  
27 (\$100,000) shall be allocated to the community colleges,  
28 the California State University, and the University of  
29 California for the implementation of the duties specified  
30 in Sections 67101, 76160, and 92021 of the Education Code.

31 (c) The sum of two million five hundred thousand  
32 dollars (\$2,500,000) shall be allocated to county elections  
33 officials for the implementation of the duties specified in  
34 Section 2105 of the Elections Code.

35 (d) The sum of four hundred thousand dollars  
36 (\$400,000) shall be available for expenditure by the  
37 Secretary of State for the implementation of the duties  
38 specified in Section 2105.5 of the Elections Code.

39 (e) The sum of one hundred fifty thousand dollars  
40 (\$150,000) shall be available for expenditure by the



1 *Secretary of State for the implementation of the duties*  
2 *specified in Section 2161.1 of the Elections Code.*

3 *(f) The sum of one hundred thousand dollars*  
4 *(\$100,000) shall be available for expenditure by the*  
5 *Secretary of State for the implementation of the duties*  
6 *specified in Section 3504 of the Elections Code.*

7 *(g) The sum of one hundred twenty-five thousand*  
8 *dollars (\$125,000) shall be allocated to county clerks for*  
9 *the implementation of the duties specified in subdivision*  
10 *(d) of Section 355 and Section 358.1 of the Family Code.*

11 *(h) The sum of one million dollars (\$1,000,000) shall be*  
12 *allocated to the Franchise Tax Board for expenditure for*  
13 *the implementation of the duties specified in Section*  
14 *18621.1 of the Revenue and Taxation Code.*

15 *(i) The sum of five million five hundred thousand*  
16 *dollars (\$5,500,000) shall be available for expenditure by*  
17 *the Secretary of State for the purpose of contracting with*  
18 *an independent advertising company to produce and*  
19 *broadcast television and radio advertisements and public*  
20 *service announcements encouraging eligible electors to*  
21 *register to vote and vote.*

